UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE

ORDER

NXP USA, INC., and NXP B.V.,

CASE NO. 2:20-cv-01503-JHC

Plaintiffs,

v.

IMPINJ, INC.,

Defendant.

On October 20, 2022, the Court issued under seal an order granting Impinj's motion for partial summary judgment. *See* Dkt. # 242. The Court filed the order under seal in recognition of the fact that the order references materials that the parties previously identified as sensitive, confidential, or proprietary business information.

There is a "strong presumption in favor of access to court records." *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003). While the Court determined before that several documents could be submitted under seal (*see, e.g.*, Dkt. ## 123, 241), that does not necessarily mean that the cited portions of those documents included in the order must be sealed. The Court wants to know whether the limited sealed material referenced in the order is sensitive enough to warrant protection from public disclosure.

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Within 14 days of this order, each party is DIRECTED to file a brief identifying any portions of the order, if any, that each party believes should be redacted in a public version of the order. Each brief may be filed under seal and shall not exceed ten (10) pages. The brief must include specific argument—supported by factual material and legal analysis, as necessary—about each proposed redaction. The Court encourages the parties to meet and confer about their proposed redactions. The Court also encourages the parties to bear in mind the strong presumption in favor of access to judicial records—particularly decisions of the Court—and to propose redactions, if any, accordingly.

Dated this 20th day of October, 2022.

John H. Chun

United States District Judge